

Attorney Docket No.: FMCE-P078

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Blair et al.)
Serial No.: 10/087,873) Group Art Unit: 3671
Filed: 03/01/2002) Examiner: T. Beach
For: DEBRIS CAP)

Henry C. Query, Jr.
504 S. Pierce Ave.
Wheaton, IL 60187

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Office Action

This communication is responsive to the Office Action dated February 11, 2003.

Reconsideration of the above-identified application is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Knapp et al. (U.S. Patent No. 2,970,646). However, Knapp fails to disclose each and every element of claim 1. Therefore, this patent cannot be found to anticipate claim 1.

Knapp clearly does not disclose a debris cap which comprises a container that is pre-charged with a corrosion inhibitor and/or a biocide prior to installation subsea. In fact, Knapp does not disclose a debris cap at all. Rather, this patent discloses a chamber 11 which encloses the entire christmas tree 30. Furthermore, the chamber 11 is not filled with a corrosion inhibitor and/or a

Attorney Docket No.: FMCE-P078

biocide prior to installation subsea. Instead, the chamber 11 is filled with a corrosion inhibitor only after it is installed subsea (see column 3, lines 13-15). Therefore, Knapp cannot be found to anticipate claim 1.

The Examiner has indicated that claims 2-9 would be allowed if they are rewritten in independent form to include the limitations of their base and intervening claims. However, claims 2-9 depend from claim 1, which as discussed above is patentable over the prior art cited by the Examiner. Therefore, applicants submit that claims 2-9 do not need to be rewritten.

The prior art made of record but not relied upon has been considered but is not believed to be pertinent to the patentability of the present invention.

In light of the foregoing, claims 1-9 are submitted as allowable. Favorable action is solicited.

Respectfully submitted,



Henry C. Query, Jr.
Reg. No. 35,650
(630) 260-8093

Date: May 12, 2003

HENRY C. QUERY, JR.

Patent Attorney At Law

FACSIMILE TRANSMITTAL SHEET

8/Recan

5/13/03

TO:	FROM:
Examiner Thomas Beach	Henry C. Query, Jr.
COMPANY:	DATE:
USPTO - Group Art Unit 3671	May 12, 2003
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9326	3
CC:	
SUBJECT:	
U.S. Patent Application No. 10/087,873	
Inventor(s): Blair et al.	
Filed: 03/01/2002	
For: Debris Cap	

THIS TRANSMITTAL IS INTENDED FOR DELIVERY ONLY TO THE PERSONS LISTED ABOVE. IT MAY CONTAIN CONFIDENTIAL OR PRIVILEGED INFORMATION, THE DISCLOSURE OF WHICH IS PROHIBITED. IF YOU RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE TO ARRANGE FOR THE RETURN OF THIS DOCUMENT.

Dear Examiner Beach:

Enclosed in connection with the above-referenced application is a Response to Office Action, which is responsive to the Office Action dated February 11, 2003.

Sincerely,



Henry C. Query, Jr.

FAX RECEIVED

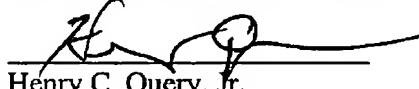
Official

MAY 13 2003

GROUP 3600

Certificate of Facsimile Transmission Under 37 CFR 1.8

I hereby certify that this correspondence, consisting of 3 total pages, is being facsimile transmitted to the U.S. Patent and Trademark Office on May 12, 2003.



Henry C. Query, Jr.